

**CITY OF TAYLORSVILLE
CITY COMMISSION
REGULAR MEETING**

April 3, 2012

The City of Taylorsville City Commission held a Regular meeting on Tuesday, April 3, 2012 at 5:00 p.m., at the City Hall Annex.

Present were:

Don Pay, Mayor
Beverly Ingram, Commissioner
Nathan Nation, Commissioner
Kathy Spears, Commissioner
Larry Walldridge, Commissioner

Staff present:

John Dale, Jr. City Attorney
Steve Biven, City Clerk
Harold Compton, Public Works Director

Randy McConnell, Comptroller
Toby Lewis, Police Chief
Lisa Ware, Co-Treasurer

Item #1

Mayor Pay called the meeting to order at 5 p.m. and asked the group to join him in a brief moment of meditation followed by a recital of the Pledge of Allegiance.

Item #2 – ***Consent Calendar***

Motion made by Commissioner Nation and seconded by Commissioner Walldridge to approve the Consent Calendar for March, 2012. Motion carried 5-0.

Item #3 – ***Committee Reports***

a) Engineering Projects (Sisler – Maggard Engineering PLLC)

Kevin Sisler was not present to give an update on the Wastewater Treatment Plant. Clerk Biven mentioned that the contractors were still working on the punch list. He also informed the commission of the high electric bill at the plant. Mr. McConnell and Roxann Thompson have been working with the electric company to find out why the bill was so high. The company has informed them that the City was billed at the incorrect rate.

Clerk Biven stated that Steve Goodlett had signed the temporary construction easement for the Highway 44 Sewer line extension. The contractors have begun doing the road bores.

Main Street will be ready to advertise and put the bid out in the paper next week.

b) Main Street (Phyllis Williams)

Mrs. Williams stated that Gordon Deapen had attended the Kentucky Heritage Council Regional Meeting in March. Year to date the committee now has 2.5 credits out of the 3 that are required.

Mr. Deapen also attended a grant writing class that was offered by the state. Mrs. Williams and Mr. Deapen met with the head of the Kentucky Heritage Council, Becky Gorman, for guidance with the Taylorsville Main Street Program. They have the goal of being a designated City by next year. Ms. Gorman stated that would not happen this year, but if the committee works really hard it can be accomplished next year. The committee is going to focus on the ten point program required by the national main street program, including the four points we have discussed. They will also start the process of selecting a Main Street Manager to be finalized by July 1st. The requirements will be that the manager work 20 hours a week to be in compliance with the program requirements.

There were two public information meetings held for Phase 2 of Main Street and plans were changed to accommodate some requests.

The Main Street minutes and treasurer's reports are in the commissioner's packets.

Clerk Biven ask Mrs. Williams about the tree grant. Mrs. Williams said she has spoken with Mr. Shircliffe regarding this issue.

Item #4 – *Old Business*

a) **Early Wyne, Letter of Credit, Mark Clinton**

Mr. Clinton was not present to give an update on the Letter of Credit for Early Wyne. Mayor Pay suggested this issue be discussed in executive session.

b) **Taylorsville Drainage Project Update (Houston Court)**

Clerk Biven and Mayor Pay have met with FEMA regarding Houston Court. FEMA still wants a couple of things addressed regarding the problems with Indiana Bats and the Buffalo Clover that grows here. They wanted to know what kind of an impact the City or the construction would have on them. The City does not know yet because the engineers won't know until they get into the project and find out where some of the problems are. There will be another meeting on April 23, 2012, to finalize everything that the City needs for FEMA to have.

c) **Other Business**

Mr. Compton stated that some of the rocks have been removed from the cemetery.

There was a meeting with Paul Combs, Commissioner Spears and Commissioner Ingram to discuss the Personnel Policy. The job descriptions should be complete soon. Mr. Combs has recommended that the job descriptions and the policy be passed by municipal order instead of by ordinance. That way if there are small changes to the policy they can be done by a motion of the commission though a municipal order and won't have to be published in the paper.

Commissioner Nation asks if the policy could be done by July 1st, so that evaluations could be done. Clerk Biven stated he thought that would be possible.

Item #5 *Public Comment*

a) **Michael Monroe – Condemnation of 505 Garrard Street** – Mr. Monroe was not present. Clerk Biven stated that Mr. Monroe was interested in purchasing the property at 505 Garrard Street. Commissioner Nation suggested addressing this issue later in the meeting under the topic of "unsafe structures".

b) **Ronnie & Paula Earls – Crosswalk at pre-school-** Mr. Earls voiced his concerns with trash cans being set in the middle of the sidewalks. He states that it is hard to push a stroller down the sidewalk because of them. He said he has to either move the cans or get in the road to go around them. He also stated a crosswalk at the preschool would be very helpful. **Motion was made by Commissioner Nation and seconded by Mayor Pay to send letters to residences on Reasor Street pertaining to blocking the sidewalks with trash cans or cars, and to address the sidewalk issue on space located on the water bills.** Motion passed with a vote of 5-0.

There was discussion regarding a crosswalk at the preschool. **Motion was made by Commissioner Nation and seconded by Commissioner Waldrige to have Chief Lewis mark as he deems appropriate and to speak with the school regarding this issue.** Mayor Pay asks if there were any caution signs at the preschool. **Commissioner Nation amended his motion to also include Chief Lewis looking into getting the school crosswalks repainted at Jefferson Street across from the school, one at Industrial Drive, and to post some caution signs on Reasor at the school.** Motion passed with a vote of 5-0.

c) **Keith Martin – Sewer Tap for 507 Garrard Street** – Mr. Martin purchased this property with the understanding that it had a sewer tap. He later found out it did not. He spoke with Mr. Compton about purchasing a tap at a cost of \$750. When he came in to purchase the tap, he was told to wait until he was ready for the tap to pay for it. He is now being told that the impact fee would be \$3,000 and the tap would be \$750 for a total of \$3,750. He feels that since he came in to purchase the tap before the cost went up and was told to wait, he should not have to pay the higher cost. **Motion was made by Commissioner Waldrige and seconded by Mayor Pay to allow Mr. Martin to purchase a sewer tap for 507 Garrard Street at the cost of \$750 as previously discussed with Mr. Compton since Mr. Martin did come to in early to purchase the tap.** Motion passed with a vote of 5-0.

d) **Ellen Redmon – Houston Court-** Ms. Redmon is upset regarding the continued problem on Houston Court that has been ongoing since the early 1980s. Ms. Redmon handed out copies of correspondence with local officials.

Item #6 – *New Business*

a) **Department Reports**

Financial Report

Mr. McConnell provided the commission with a cash analysis report, deposit collateral report and the overtime report. He also stated that the city is fully collateralized at all three banks. Mr. McConnell informed the commission that in reviewing revenue in the General Fund account, Property Taxes year to date are \$133,000, Insurance Premiums \$135,000 and Occupational License Tax \$191,000. On the expense side, Repair and Maintenance has \$7,681.00 left, some of which will be used for the cemetery. Mr. McConnell stated that they have been working on bringing the fuel expenses down for the Police Department.

Water Revenue is \$120,000 under budget. Sewer Revenue is \$12,000 under budget, Meter Sets is \$63,000 under budget and Sewer Taps are \$38,000 under budget year to date. Salaries are holding their own.

There will be a budget meeting on April 17, 2012 at 4:30. Mr. McConnell will have the budget ready by line items by April 13. We will start with General Fund on the 17th and will finish with the Water and Sewer Fund on the 19th.

The bids for two of the surplus vehicles were opened. The 1998 TransAm's highest bidder was John Mark Bain at \$6,800 and the 1999 Crown Vic's highest bidder was William Donovan at \$1,500. **Motion was made by Commissioner Nation and seconded by Commissioner Spears to award the vehicles to the highest bidders and to open up bidding for the 2003 Crown Vic in-house.** Motion carried with a vote of 5-0. Chief Lewis stated the reason why the 2003 Crown Vic may not have received any bids is the motor makes a knocking noise. He is not sure why.

Clerk Biven stated that Sisler-Maggard had turned in their in-kind services for Main Street. He would supply copies of this to the commissioners. Sisler-Maggard in-kind service was very generous.

Utility

Water

Clerk Biven stated that the Agreement to Provide to Answering Service for the City was in the commissioner's packets. He stated that the contract does not come up for renewing until July 1, 2012. Mr. Compton stated that he does receive documentation from Mrs. Cramner each month. This issue is to be discussed at a later meeting.

Mr. Compton stated that Paul Whitman with the Shelby County Fire Department had contracted him about placing an antenna on the water tank in Mount Eden. Mr. Compton said he has no problem with that, pending approval of the commission. He also explained that they would have to have an Interlocal agreement or a MOU with the City. **Motion was made by Commissioner Nation and seconded by Commissioner Spears to allow Shelby County Fire Department to place an antenna on the Mount Eden water tank.** Motion carried with a vote of 5-0.

Sewer

Mr. Compton gave an update on the SSES study. He stated that the City has corrected several sewer problems including a major problem with a manhole in Highview. Letters have been sent out to sewer customers that have problems that need to be corrected.

Streets

Commissioner Spears stated that there are holes in the street at Jefferson that need to be fixed. Clerk Biven asks that the City get with Brett Beaverson to resolve the problems.

Public Safety

Police - A monthly schedule was in the commissioner's packets. Chief Lewis stated that some days would not be 10 hours shifts due to school and trying to prevent overtime. The activities for March were also passed out.

An application for a solicitation permit has been requested by the Spencer County High School Project Graduation. The request is for April 14 & May 12, 2012 at the stop light at Taylorsville Road and Little Mount Road (at the high school) from 8:00 to 12:00 and from 12:00 to 2:00.

Motion was made by Commissioner Nation and seconded by Commissioner Waldrige to allow the Project Graduation to set up for solicitation on those dates. Motion carried with a vote of 5-0.

Chief Lewis stated that he has looked into the Class D Felony prisoners program for cleaning up the City. The training for our officers would 1.5 hours. Once the training is completed, the City could use the Class Ds. Shelby County Detention would just need to know how often the City would need them. Chief Lewis suggested using the part-time officers for this program. Transportation would be provided by the extra patrol cars the City now has. Clerk Biven stated that the City would need to come up with a list of items that need to be cleaned up.

MBTs are now installed in the Expeditions. Chief Lewis gave a list of who is driving which vehicles. Chief Lewis has received several complaints about bed bugs. There are residents concerned about the disposal of the bedding and furniture. Chief Nation was familiar with apartment managers' local response to the issue.

There will be 3 billboards going up in time for Prom and Graduation pertaining to drunk driving and drugs. Officer Daniel Wills, County Officer Damon Jewell and State Trooper Eddie Whitworth will be the featured officers on the billboards.

All the vehicles have been repaired from the hail damage except for the Explorer. Commissioner Spears ask if the buildings had been looked at by an adjuster for any hail damage. There is damage to all the buildings.

The welcome sign coming into town has the lights out again. Clerk Biven is going to check into this.

Chief Lewis stated that there was some equipment needed to be purchased and replaced. Since the TransAm was a seized vehicle, the funds have to go for equipment or training. Chief Lewis suggested using those funds to pay the cost of having that equipment installed instead of taking the funds out of the budget. The cost to have it installed was \$5,187.00.

Fire – Chief Nation gave an update of the unsafe structures. Clean up at 41 Carpenter Drive has been complete. There hopefully will be a closing on 102 Garrard Street, which will lead to the clean up there in the next couple of weeks. Chief Nation and Clerk Biven has gone and re-inspected 107 Reasor Street. They gave the owner a list of items that still need to be addressed and they are working on those items. Claude Owen had not asked for a hearing. Chief Nation did hear from Mr. Owens' legal counsel. Chief Nation instructed him to call Clerk Biven to discuss the issue. There has been some attempt to do some work on 503 Garrard Street and no attempt to do any work on 505 Garrard. The owner has talked to several people about selling these pieces of properties.

General Government

Street Sweeper – Clerk Biven has spoken with the state and they will come and clean the streets twice a month at no cost. They will only clean the streets that are considered to be state streets.

Motion was made by Commissioner Nation and seconded by Commissioner Waldrige to surplus the old street sweeper. Commissioner Nation, Commissioner Spears, Commissioner Waldrige, and Commissioner Ingram voted in favor. Mayor Pay opposed. Motion carried with a vote of 4-1.

Nuisance at Country Day Apartments - Clerk Biven stated that he has received complaints from time to time about the Nuisance at the Country Day Apartments. Letters have been sent to

Mr. Tilford, the owner of the building, about the trash around the dumpster. The last letter that the City sent to Mr. Tilford was dated March 22, 2011. The issue gets resolved for a while but then it happens again. There was a lot of discussion pertaining to this issue. Clerk Biven asks Chief Lewis to keep an eye out on the property and document any problems. Mr. Dale stated that if this continues to be a problem the City could start sighting Mr. Tilford for the nuisance.

b) Other New Business

Commission Form of Government & Annual Report - Commissioner Nation stated that by Statue the City is required to give an annual report to the public of what the City has done and where the City is going. Commissioner Nation said it needed to be in ordinance. Clerk Biven stated he could write up a report. Commissioner Nation read part of the statue stating that the Commission shall report to the public on the condition and needs of the City government as provided by ordinance not less than annually. Mr. Dale stated that some people consider that the budget is the annual report. Commissioner Nation suggested that the City attempt to do an annual report.

Item #7 – Legal

Compensation of Elected Officials - Attorney Dale stated that Clerk Biven has provided a copy of Ordinance #311 pertaining to Compensation of Elected Officials. This issue needs to be addressed by May 1st. This issue needs to be discussed at the Budget meeting on April 17, 2012.

Annexation Documentation- Mr. Dale stated he is waiting on Joe Sisler to get some information back to him on this matter. Mr. Sisler has met with the state in this regard.

Item #8 - Elected Officials' Comments (Mayor and City Commissioners)

Mayor Pay and Commissioner Ingram have been sitting in on the Planning & Zoning who is interviewing for a consulting firm. Planning & Zoning has chosen Tim Butler as their consultant.

Commissioner Ingram suggested that the City be involved with Planning & Zoning on their new development plans. Fiscal Court has not had a second reading of the changes that were made. They wanted to wait until Mr. Butler has started before starting anything new.

Mark Clinton – Early Wyne - Plans are being made to get the paving done in Early Wyne. Julie Sweazy with Planning & Zoning sent an email to Clerk Biven stating the bond cost was calculated at the correct rates. Mr. Clinton stated that they feel like there are a lot of inconsistencies with the situation. Planning & Zoning has been notified not to issue any building permits until a Letter of Credit is received by the City.

ADJOURN TO EXECUTIVE SESSION

Item #9 – Motion was made by Commissioner Spears and seconded by Commissioner Ingram to Adjourn to Executive Session under provisions of KRS 61.810 (1) (b) Deliberations on the future acquisition or sale of real property by a public agency (c) Discussions of proposed or pending litigation against or on behalf of the public agency (f) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee. Motion carried 5-0.

RETURN TO OPEN SESSION

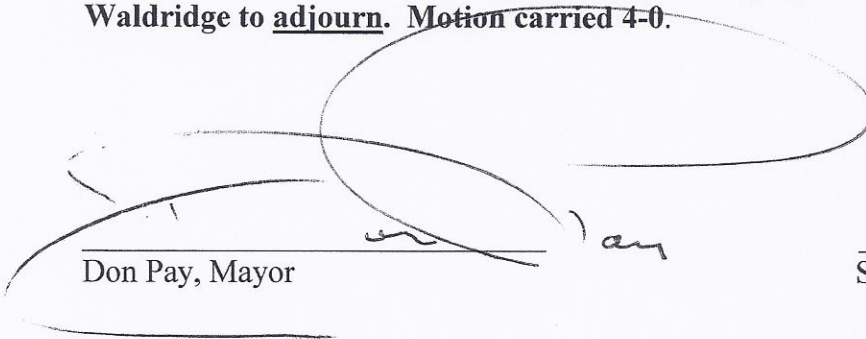
Item #10 – Motion was made by Commissioner Spears and seconded by Mayor Pay to return to open session. Motion carried 4-0. (Commissioner Nation was no longer in attendance at the time to vote)

Item #11

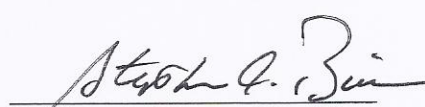
Motion was made by Commissioner Waldrige and seconded by Mayor Pay to pass a resolution that the City of Taylorsville City Commission is opposed to any possible relocation of the Swift Plant in Louisville to within the city limits or in close proximity to the city, therefore negatively effecting the quality of life in the area. Motion carried 4-0.

ADJOURN MEETING

Item # 12 - Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to adjourn. Motion carried 4-0.



Don Pay, Mayor



Stephen A. Biven, City Clerk